

ESTTA Tracking number: **ESTTA141895**

Filing date: **05/22/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following parties oppose registration of the indicated application.

Opposers Information

Name	YOSEFNAZAR		
Entity	Individual	Citizenship	UNITED STATES
Address	12 LOCUST DRIVE GREAT NECK, NY 11021 UNITED STATES		

Name	SWEET ROMEO LLC		
Entity	LLC	Citizenship	NEW YORK
Address	499 SEVENTH AVENUE 2ND FLOOR NORTH TOWER NEW YORK, NY 10018 UNITED STATES		

Attorney information	GARY ROSEN GARY ROSEN LAW FIRM PA 249-02 JERICHO TURNPIKE FLORAL PARK, NY 11001 UNITED STATES GROSEN@GARYROSEN.COM Phone:516-437-3400		
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Applicant Information

Application No	77022461	Publication date	05/22/2007
Opposition Filing Date	05/22/2007	Opposition Period Ends	06/21/2007
Applicant	Hedvat, Leon 525 Bryant Avenue Roslyn Harbor, NY 11576 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 2006/01/01 First Use In Commerce: 2006/01/01 All goods and services in the class are opposed, namely: ladies' apparel, namely, sweaters, knit tops, and sweatsuits

Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
The mark is merely descriptive	Trademark Act section 2(e)(1)
<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2351782	Application Date	06/09/1999
Registration Date	05/23/2000	Foreign Priority Date	NONE
Word Mark	SWEET ROMEO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1997/01/00 First Use In Commerce: 1997/01/00 MENS AND WOMENS SWEATERS		

U.S. Application No.	78367770	Application Date	02/13/2004
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ROMEO & JULIET COUTURE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2004/02/06 First Use In Commerce: 2004/02/06 WOMEN'S CLOTHING, NAMELY, SWEATERS		

Attachments	75723689#TMSN.gif (1 page)(bytes) 78367770#TMSN.jpeg (1 page)(bytes) ROMEO & JULIET AS OPPOSER.pdf (5 pages)(76075 bytes) SWEET ROMEO AS OPPOSER.pdf (5 pages)(77766 bytes)
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Signature	/GARY ROSEN/
Name	GARY ROSEN
Date	05/22/2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

YOSEF NAZAR,	:	Opposition # no assigned
	:	
Opposer,	:	OPPOSITION TO
	:	TRADEMARK
v.	:	
	:	
LEON HEDVAT,	:	
	:	
	:	
Applicant	:	
	:	

Re: Trademark Application
Serial #: 77022461
For: SWEET JULIET
By: Leon Hedvat, 525 Bryant Avenue, Roslyn Harbor, New York 11576
Application Date: October 17, 2006
Published for Opposition: May 22, 2007

YOSEF NAZAR, an individual residing at 12 Locust Drive, Great Neck, New York 11021, (hereinafter referred to as "Opposer") believes that he will be damaged by registration of the trademark "SWEET JULIET", Application # 77022461, for goods, namely "ladies' apparel, namely, sweaters, knit tops and sweatsuits" in Class 25 by LEON HEDVAT, an individual, upon information and belief to be a United States Citizen, residing at 525 Bryant Avenue, Roslyn Harbor, New York 11576 (referred to herein as "Applicant"), and hereby opposes the registration thereof pursuant to Section 13 of the 1946 Trademark Act (15 U.S.C. Section 1063).

Opposer alleges the following grounds for opposing the registration of SWEET JULIET:

1. Opposer, has used the trademark ROMEO & JULIET COUTURE on and in connection with a variety of clothing items since at least as early as February 6, 2004.

2. Pursuant to its trademark application, Applicant claims the first use of the mark SWEET JULIET on January 1, 2006.

3. Opposer is the applicant under Serial Number 78367770 for a trademark on the name and Characters "ROMEO & JULIET COUTURE", filed on February 13, 2004.

4. The filed trademark application of "ROMEO & JULIET COUTURE" contains the following:

**ROMEO & JULIET
COUTURE**

5. As a result of Opposer's use and trademark ROMEO & JULIET COUTURE, identified above, Opposer has a valid and exclusive right to use the trademark ROMEO & JULIET COUTURE for use on or in connection with clothing.

6. Opposer's rights in the trademark ROMEO & JULIET COUTURE are prior in time to any alleged first use or intent to use application by Applicant for SWEET JULIET.

7. In view of the similarities between Applicant's mark SWEET JULIET, and Opposer's trademark ROMEO & JULIET COUTURE, it is likely that Applicant's products offered under the opposed mark will be seen as being sponsored by Opposer.

8. Opposer sells ladies apparel including sweaters, knit tops label ROMEO & JULIET COUTURE to chain department stores including T.J. MAXX, ROSS STORES, NORDSTROMS, DAFFY'S, LOEHMANN'S, ANNIE SEZ, FILINE'S BASEMENT.

9. Applicant is attempting to infringe on Opposer's rights and relationships with chain department stores including T.J. MAXX, ROSS STORES, NORDSTROMS, DAFFY'S, LOEHMANN'S, ANNIE SEZ, FILINE'S BASEMENT. Upon information and belief, Applicant is presently attempting to sell its merchandise to T.J. MAXX and ROSS STORES under the label "SWEET JULIET" in an attempt to deceive the public into believing that products sold under the mark "SWEET JULIET" are related to the trademark and manufacturer of products under the trademark ROMEO & JULIET COUTURE.

10. Opposer has been selling its products under the mark "ROMEO & JULIET COUTURE" to stores and to the public since approximately February 6, 2004, prior to the Applicant's claim of first use date of January 1, 2006.

11. Applicant's mark SWEET JULIET is likely to cause confusion, mistake or to deceive with Opposer's trademark ROMEO & JULIET COUTURE.

12. The use and registration of SWEET JULIET by Applicant will damage Opposer in the selling of its goods and services and cause confusion among purchasers.

13. The use and registration of SWEET JULIET by Applicant will damage Opposer by causing dilution of its famous trademark ROMEO & JULIET COUTURE.

WHEREFORE, Opposer prays that said application Serial No. 77022461 be DENIED, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Payment in the amount of \$300.00 is submitted herewith.

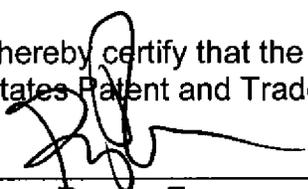
Dated: May 6, 2007
Floral Park, New York

YOSEF NAZAR



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I hereby certify that the foregoing document was filed electronically via the United States Patent and Trademark Office online ESTTA service on May 7, 2007.



Gary Rosen, Esq.

To:
Leon Hedvat,
525 Bryant Avenue,
Roslyn Harbor, New York 11576

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SWEET ROMEO LLC,	:	Opposition # no assigned
	:	
Opposer,	:	OPPOSITION TO
	:	TRADEMARK
v.	:	
	:	
LEON HEDVAT,	:	
	:	
	:	
Applicant	:	
	:	

Re: Trademark Application
Serial #: 77022461
For: SWEET JULIET
By: Leon Hedvat, 525 Bryant Avenue, Roslyn Harbor, New York 11576
Application Date: October 17, 2006
Published for Opposition: May 22, 2007

SWEET ROMEO LLC, an New York Limited Liability Company, with its offices located at 499 Seventh Avenue, 2nd Floor North Tower, New York, New York 10018, (hereinafter referred to as "Opposer") believes that they will be damaged by registration of the trademark "SWEET JULIET", Application # 77022461, for goods, namely "ladies' apparel, namely, sweaters, knit tops and sweatsuits" in Class 25 by LEON HEDVAT, an individual, upon information and belief to be a United States Citizen, residing at 525 Bryant Avenue, Roslyn Harbor, New York 11576 (referred to herein as "Applicant"), and hereby opposes the registration thereof pursuant to Section 13 of the 1946 Trademark Act (15 U.S.C. Section 1063).

Opposer alleges the following grounds for opposing the registration of SWEET JULIET:

1. Opposer, has used the trademark SWEET ROMEO on and in connection with a variety of clothing items since at least as early as January 1, 1997.

2. Opposer held a trademark on the mark SWEET ROMEO from May 23, 2000 to March 3, 2007 under registration number 2351782, Serial number 75723689.

3. Opposer has filed a trademark application on April 6, 2007, for the purpose of continuing a trademark on SWEET ROMEO under Serial Number 77150649.

4. Pursuant to its trademark application, Applicant claims the first use of the mark SWEET JULIET on January 1, 2006.

5. The filed trademark application of "SWEET ROMEO" contains the following:

SWEET ROMEO

6. As a result of Opposer's use and trademark SWEET ROMEO, identified above, Opposer has a valid and exclusive right to use the trademark SWEET ROMEO for use on or in connection with clothing.

7. Opposer's rights in the trademark SWEET ROMEO are prior in time to any alleged first use or intent to use application by Applicant for SWEET JULIET.

8. In view of the similarities between Applicant's mark SWEET JULIET, and Opposer's trademark SWEET ROMEO, it is likely that Applicant's products offered under the opposed mark will be seen as being sponsored by Opposer.

9. Opposer sells ladies apparel including sweaters, knit tops label SWEET ROMEO to chain department stores including T.J. MAXX, ROSS STORES, NORDSTROMS, DAFFY'S, LOEHMANN'S, ANNIE SEZ, FILINE'S BASEMENT.

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11. Opposer has been selling its products under the mark "SWEET ROMEO" to stores and to the public since approximately January 1, 1997, prior to the Applicant's claim of first use date of January 1, 2006.

12. Applicant's mark SWEET JULIET is likely to cause confusion, mistake or to deceive with Opposer's trademark SWEET ROMEO.

13. The use and registration of SWEET JULIET by Applicant will damage Opposer in the selling of its goods and services and cause confusion among purchasers.

14. The use and registration of SWEET JULIET by Applicant will damage Opposer by causing dilution of its famous trademark SWEET ROMEO.

WHEREFORE, Opposer prays that said application Serial No. 77022461 be DENIED, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

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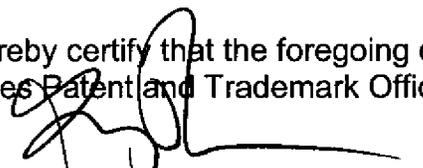
Dated: May 6, 2007
Floral Park, New York

SWEET ROMEO LLC



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I hereby certify that the foregoing document was filed electronically via the United States Patent and Trademark Office online ESTTA service on May 7, 2007.



Gary Rosen, Esq.

To:
Leon Hedvat,
525 Bryant Avenue,
Roslyn Harbor, New York 11576